

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT KODIAK

LISA WIETFELD,

Plaintiff,

vs.

PROVIDENCE HEALTH & SERVICES,
d/b/a PROVIDENCE CHINIAK BAY
ELDER HOUSE,

Defendant.

COPY

Original Received

OCT 16 2015

Clerk of the Trial Courts
at Kodiak

Case No. 3KO-15-_____ CI

COMPLAINT FOR DAMAGES

Plaintiff, Lisa Wietfeld, by and through counsel, Michele L. Power, for her
cause of action against defendant, states and alleges as follows:

PARTIES

1. Plaintiff, Lisa Wietfeld, is a citizen of Alaska, who at all times relevant to this action resided in Kodiak, Alaska, Third Judicial District.
1. Defendant, Providence Health & Services ("Providence") is a medical entity incorporated by the State of Alaska, providing services throughout Alaska, including Kodiak, Alaska. Its corporation headquarters is located in Anchorage, Alaska.

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2. Providence owns and operates Providence Chiniak Bay Elder House, a long term care center for those who are unable to live independently, in Kodiak, Alaska.

GENERAL ALLEGATIONS

3. On or about April 10, 2015, employees of Providence Chiniak Bay Elder House failed to coil, route or otherwise secure exposed cord(s) and/or tubing under and around a certain resident's bed. The exposed cord(s) and/or tubing constituted a hazardous condition.
4. Providence failed to remedy the hazardous condition or post warning signs advising others of the same.
5. On or about April 10, 2015, Lisa Wietfeld provided hair care service to the above referenced resident of Providence Chiniak Bay Elder House.
6. As she did so, she tripped on a loose cord or tubing on the floor under the patient's bed, fell and suffered injury

CAUSE OF ACTION

Plaintiff is entitled to recover damages from Defendant based on the theories of liability below, and under such other theories of liability as may be appropriate based upon the facts as alleged herein or as revealed during discovery.

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COUNT I
NEGLIGENCE

7. Plaintiff incorporates by reference all prior allegations herein.
8. Defendant had a duty to use due care to guard against unreasonable risks created by dangerous conditions existing in resident rooms in its Chiniak Bay Elder House.
9. Defendant breached that duty by negligently failing to coil, route or otherwise secure exposed cords, tubing, or other dangling items under or around resident beds in order to maintain a safe, non-hazardous condition or to post warning signs regarding the dangerous condition existing in its care facility.
10. Defendant's breach of its duty proximately caused Plaintiff's harm including, but not limited to, both past and future physical and psychological injuries, pain and suffering, inconvenience, emotional distress, loss of enjoyment of life, medical expenses, and loss of wages, in an amount to be proven at trial, but in any event in excess of \$100,000.

COUNT II
NEGLIGENT TRAINING AND/OR SUPERVISION

11. Plaintiff incorporates all preceding paragraphs of this complaint.
12. Defendant has a duty to act reasonably in the training and/or supervision of its employees related to exposed cords, tubing, or another other dangling item under or around resident beds.

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13. Defendant breached its duty by failing to properly train and/or supervise its employees.
11. As a result of Defendant's breach of duty to properly train and/or supervise its employees, Plaintiff suffered both past and future physical and psychological injuries, pain and suffering, inconvenience, emotional distress, loss of enjoyment of life, medical expenses, and loss of wages, in an amount to be proven at trial, but in any event in excess of \$100,000.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests the following relief:

1. For compensatory damages from Defendant in an amount to be determined at trial, but in any event more than \$100,000,
2. For costs, interest and attorney's fees in bringing this action; and
3. For other relief considered appropriate by the court.

RESPECTFULLY SUBMITTED this 14th day of October, 2015, at Bethel, Alaska.

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